

FILED

APR 16 2014

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY W DEPUTY

Terrill D. Gurley Jr.
Name
8607 S.E. Flower mound Rd
Lawton, Okla 73501
Address

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

Terrill D. Gurley Jr., Plaintiff
(Full Name)

v.

Lt. Clerk Sgt. Dawson Defendant (s)
% Livingston, % Neiml, % Kinder
~~Lawton, Okla~~

CIV - 14 - 381

CASE NO.

(To be supplied by the Clerk)

R

CIVIL RIGHTS COMPLAINT
PURSUANT TO 42 U.S.C.
§1983

A. JURISDICTION

- 1) Terrill D. Gurley Jr., is a citizen of oklahoma
(Plaintiff) (State)
who presently resides at 8607 S.E. Flower mound Rd
(Mailing address or place
Lawton, Okla 73501
of confinement)
- 2) Defendant Lt. Clerk is a citizen of
(Name of first defendant)
Lawton, Oklahoma, and is employed as
(City, State)
correctional supervisor. At the time the claim(s)
(Position and title, if any)
alleged in this complaint arose, was this defendant acting under color of
state law? Yes ☒ No ☐. If your answer is "Yes", briefly explain:
Lt. Clerk, is obligated and committed to the safety
and orderly running of the facility

- 3) Defendant Sgt. ~~Thomas~~ Dawson is a citizen of
(Name of second defendant)
Lawton, Oklahoma, and is employed as
(City, State)
Correctional Supervisor. At the time the claim(s)
(Position and title, if any)
alleged in this complaint arose was this defendant acting under color of
state law? Yes ☒ No ☐ If your answer is "Yes", briefly explain:
Sgt. is obligated and committed to the safety and
orderly running of the facility
- (Use the back of this page to furnish the above information for additional
defendants.)
- 4) Jurisdiction is invoked pursuant to 28 U.S.C. §1343(3); 42 U.S.C. §1983.
(If you wish to assert jurisdiction under different or additional statutes,
you may list them below.) _____

B. NATURE OF THE CASE

- 1) Briefly state the background of your case.

Plaintiff was moved to a restricted housing unit with
other security threat groups (gang affiliated inmates) while
working in his assigned work area, he was physically ass-
aulted by two (2) inmates from another security threat
group, who were suppose to be locked in their cells. cor-
rectional officer opened a pod door and allowed the two (2)
inmates to walk pass him.

Defendant % Kininder is a citizen of Lawton, Oklahoma and is employed as a correctional officer, at the time of the claims alleged in the complaint arose, was the defendant acting under color of state law? Yes. % Kininder is obligated and committed to offenders safety and orderly running of the housing unit.

Defendant % Livingston is a citizen of Lawton, Oklahoma and is employed as a correctional officer, at the time the claims alleged in the complaint arose, was the defendant acting under color of state law? Yes. % Livingston is obligated and committed to offenders safety and orderly running of the housing unit.

Defendant % Neal is a citizen of Lawton, Oklahoma and is employed as a correctional officer, at the time the claims alleged in the complaint arose, was the defendant acting under color of state law? Yes. % Neal is obligated and committed to offenders safety and orderly running of the housing unit.

~~Defendant % [unclear] is a citizen of Lawton, Oklahoma and is employed as a [unclear] at the time the claims alleged in the complaint arose, was the defendant acting under color of state law? Yes. [unclear] is obligated and committed to orderly running of the facility~~

~~_____~~ Dawson is aware how critical the housing unit is, but disregarded the facts. Sgt. ^{Dawson} ~~_____~~ posted two (2) officers (% Livingston & % Kinnder) as the housing unit cover. % Kinnder has never worked the housing unit before but yet he was left to run the housing unit, when a offender is in and or working in the D-space no pod doors are suppose to be open when offenders are in the pod. % Neal who was the picket operator at the time knows this, and was aware that people was in the pod. on 2-5-14 while I was cleaning the D-space % Kinnder opened a pod door that tripped another security threat trap and allowed two (2) offenders to walk out the pod and physically assault me causing serious harm. % Livingston was in another pod, when % Kinnder called the door. The offenders that walked out the pod was suppose to be locked in there cells.

C) (1) Count III: _____

(2) Supporting Facts:

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment? Yes ☐ No ☒. If your answer is "Yes", describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

a) Parties to previous lawsuit:

Plaintiffs: _____

Defendants: _____

b) Name of court and docket number _____

c) Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____

d) Issues raised _____

e) Approximate date of filing lawsuit _____

f) Approximate date of disposition _____

- 2) I have previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C. Yes ☐ No ☒ . If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not sought.

E. REQUEST FOR RELIEF

- 1) I believe that I am entitled to the following relief:

1. 8,000⁰⁰ for each superficial wounds in the chest area (5X)
2. 3,000⁰⁰ for each superficial wounds in the head (3X)
3. 5,000⁰⁰ for superficial wounds to right hand (1X)

Signature of Attorney (if any)

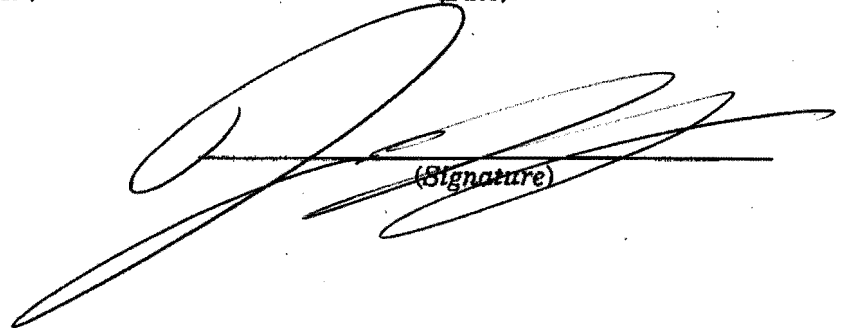
Signature of Petitioner

(Attorney's full address and
telephone number.)

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares (or certifies, verifies, or states) under penalty of perjury that he is the plaintiff in the above action, that he has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. § 1746. 18 U.S.C. § 1621.

Executed at Lawton Correctional Facility on 4-9-14, ²⁰¹⁴~~199~~
(Location) (Date)


(Signature)